

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

PETER M. GALLIGAN

Plaintiff,

vs.

ADTALEM GLOBAL EDUCATION,
INC., et al.,

Defendants.

No. 17 C 6310

Chicago, Illinois
February 5, 2020
9:39 o'clock a.m.

TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE JOAN HUMPHREY LEFKOW

APPEARANCES:

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09:39:32 1 THE COURTROOM DEPUTY: 17 C 6310, Galligan versus
09:39:37 2 Adtalem Global Education.

09:39:42 3 MR. FORD: Good morning, Your Honor. Michael Ford
09:39:43 4 for the plaintiff.

09:39:44 5 THE COURT: Good morning.

09:39:45 6 MR. COCKROFT: Andrew Cockroft for defendants.

09:39:47 7 THE COURT: Good morning.

09:39:49 8 All right.

09:39:49 9 MR. FORD: The status, Your Honor, if I may?

09:39:51 10 THE COURT: Yes.

09:39:52 11 MR. FORD: We submitted a demand, settlement demand,
09:39:55 12 to defendants. Defendants informed me it was way too high,
09:40:01 13 they didn't want to counter, and so we have not had any kind
09:40:05 14 of meaningful settlement discussions yet.

09:40:08 15 I think if the plaintiff himself could sit before a
09:40:12 16 Magistrate Judge and have an independent impartial evaluation
09:40:19 17 or opinion of the merits of this case, I think the settlement
09:40:22 18 discussions would move forward much more quickly, and I think
09:40:27 19 we might get some results.

09:40:29 20 THE COURT: Okay.

09:40:29 21 MR. COCKROFT: Your Honor, defendant isn't interested
09:40:31 22 in settlement at this time. The initial demand as plaintiff's
09:40:35 23 counsel said was was unreasonably high. This case has been
09:40:39 24 pending for a while, so we are unsure why plaintiff would
09:40:43 25 still be at an unreasonably high demand even after most of the

09:40:47 1 claims in this case have been dismissed.

09:40:49 2 THE COURT: Well, listen to what counsel has to say.
09:40:52 3 His client has an inflated view of the value of the case, is
09:40:55 4 what I am inferring, and a Magistrate Judge could talk to him
09:41:05 5 and it could be persuasive as to helping him be more
09:41:11 6 realistic.

09:41:11 7 So do you want to give it a try?

09:41:14 8 MR. FORD: I would like to.

09:41:15 9 MR. COCKROFT: Your Honor, defendant is not
09:41:16 10 interested in a settlement conference. We would rather
09:41:19 11 proceed to brief the forum non conveniens issues that we
09:41:22 12 brought up last time on status, and we would look for a
09:41:25 13 briefing schedule to that effect.

09:41:27 14 THE COURT: All right. I am not going to send you
09:41:31 15 out if you are not a willing participant.

09:41:34 16 So shall we say 14 days to -- what is your position
09:41:38 17 on it?

09:41:39 18 MR. FORD: Plaintiff's position is if the case is
09:41:43 19 going to be transferred it should go to Texas, as we talked
09:41:50 20 out at the last status hearing. The plaintiff now resides in
09:41:53 21 the Dallas/Fort Worth area, I believe it is the Northern
09:41:58 22 District of Texas down there, and as I pointed out last time,
09:42:03 23 all of the parties -- the people who worked for the defendant,
09:42:11 24 Ross University, is no longer in St. Kitts, they have
09:42:12 25 disbursed. Some are in the U.K. Some in Canada. Some are

09:42:16 1 elsewhere in the United States.

09:42:19 2 THE COURT: Okay. That is enough.

09:42:20 3 What is your position?

09:42:21 4 MR. COCKROFT: Our position is that the only
09:42:23 5 remaining defendant in this case, it is unclear if they even
09:42:25 6 have personal jurisdiction within Texas. The claims in this
09:42:29 7 case all occurred in St. Kitts. They all relate to a contract
09:42:33 8 and --

09:42:33 9 THE COURT: So that is your view, that it should be
09:42:36 10 St. Kitts?

09:42:37 11 MR. COCKROFT: Yes, Your Honor.

09:42:37 12 THE COURT: All right.

09:42:38 13 So let's have simultaneous briefs on this. I will
09:42:41 14 give you 14 days.

09:42:44 15 THE COURTROOM DEPUTY: February 19th.

09:42:48 16 MR. FORD: For status again?

09:42:50 17 THE COURT: No, to file a brief as to why you think
09:42:53 18 the forum --

09:42:54 19 Well, nobody is arguing that it should stay here, I
09:42:57 20 gather?

09:42:57 21 MR. COCKROFT: Yes, Your Honor.

09:42:58 22 MR. FORD: Well, we would like it to stay here, of
09:43:01 23 course, but it is hard to --

09:43:02 24 THE COURT: Just let me know what your position is on
09:43:05 25 this.

09:43:05 1 MR. FORD: Our position is --

09:43:07 2 THE COURT: I don't mean now. I mean in a brief.

09:43:09 3 MR. FORD: Okay.

09:43:10 4 So the defendant will file by the 19th; is that
09:43:12 5 right?

09:43:12 6 THE COURT: You will file simultaneous briefs of your
09:43:17 7 position in 14 days and I will give you 7 days to reply to the
09:43:20 8 other side if you would like.

09:43:21 9 MR. COCKROFT: Is it possible to get 14 to reply to
09:43:24 10 the other side, Your Honor?

09:43:25 11 THE COURT: If you need it.

09:43:28 12 Why do you need it?

09:43:30 13 MR. COCKROFT: Just back and forth with the client
09:43:33 14 and being able to properly deal with simultaneous briefings at
09:43:38 15 the same time.

09:43:39 16 THE COURT: Okay. All right.

09:43:39 17 So that puts us out 28 days.

09:43:42 18 THE COURTROOM DEPUTY: March 4th.

09:43:44 19 MR. COCKROFT: That should work.

09:43:46 20 THE COURT: That is for the reply.

09:43:50 21 MR. FORD: March 4th for the reply?

09:43:53 22 THE COURT: Yes.

09:43:53 23 MR. FORD: Okay.

09:43:54 24 THE COURT: I will give you a written ruling on this
09:43:56 25 then.

09:43:56 1 MR. FORD: Was that March 4th for reply briefs, is
09:43:58 2 that it?

09:44:01 3 THE COURT: Yes.

09:44:01 4 MR. FORD: 14 days for the initials briefs?

09:44:04 5 THE COURT: Yes, yes.

09:44:10 6 And I am not going to set another status until I
09:44:14 7 rule.

09:44:15 8 MR. COCKROFT: Thank you, Your Honor.

09:44:16 9 MR. FORD: Thank you, Your Honor.

09:44:17 10 THE COURT: Okay.

11 (Proceedings concluded.)

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14 C E R T I F I C A T E

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16 I certify that the foregoing is a correct transcript
17 from the record of proceedings in the above-entitled matter.

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19 /s/Krista Burgeson, CSR, RMR, CRR February 24, 2020
20 Federal Official Court Reporter Date

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